

MINUTES

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

January 23, 2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CV. 04-00559HG-BMK, CV. 04-00570HG-BMK, CV. 05-00037HG-BMK

CASE NAME: MATTHEW ISHAM, individually and as Guardian At Litem for Hayden Isham, a minor, et al. vs. BLUE DOLPHIN CHARTERS, LTD., et al.

In the Matter of the Complaint of BLUE DOLPHIN CHARTERS, LTD., et al.
DENNIS CLAYPOOL, t al. vs. CAPTAIN ANDY'S SAILING, INC., et al.

ATTYS FOR PLA: Richard A. Lesser
Attorney for the Ishams

John R. Hillsman/Harold G. Hoppe
Attorneys for the Claypools

ATTYS FOR DEFT: Randy L.M. Baldemor/Patridia Napier
Attorneys for Blue Dolphin Charters, Ltd. and Terry Donnelly

Robert F. Miller
Blue Dolphin Charters, Ltd. and Blue Dolphin Diving Ltd.

Jonathan H. Steiner
Attorney for Lexington Insurance Company

INTERPRETER:

JUDGE: Helen Gillmor

REPORTER: Stephen Platt

DATE: January 23, 2006

TIME: 10:50 - 11:40

COURT ACTION: LEXINGTON INSURANCE COMPANY'S MOTION FOR
AUTHORITY TO WITHDRAW LIMITATION BOND -
(filed in Cv. 05-00037HG-BMK)

PLAINTIFF MATTHEW ISHAM, individually and as Guardian Ad
Litem for Hayden Isham, a minor, and ROXANNE BEST
ISHAM'S MOTION FOR PARTIAL SUMMARY
JUDGMENT -

Mr. Hillsman participated in the hearing by telephone.

Arguments held.

The Court questions Lexington Insurance Company's standing to bring the Motion for Authority to Withdraw Limitation Bond. Blue Dolphin Charters, Ltd. should have more properly brought the motion. The Motion for Authority to Withdraw Limitation Bond is DENIED.

Plaintiff Matthew Isham, individually and as Guardian Ad Litem for Hayden Isham, a minor, and Roxanne Best Isham's Motion for Partial Summary Judgment is taken under submission.

Each party is required to meet the deadline for Disclosure of Experts. By agreement of the parties, the Court allows that the expert reports shall be exchanged two weeks after the Disclosure of Experts deadline.

Submitted by: David H. Hisashima, Courtroom Manager